MATERIAL LIST FOR JULY 28, 2014 COUNCIL AGENDA PACKETS

- 1. Copy of Agenda for the July 28, 2014 Regular Council meeting.
- 2. Copy of Town Manager's report to Council.
- 3. Copy of minutes from the July 14th, 2014 Regular Council Meeting.
- 4. Copy of report from Jessa Kellogg, Shoreland/Environmental Resource Officer regarding the Phase IV Grant Application for Spruce Creek Watershed Restoration Project.
- 5. Copy of application from Jarrod Spangler for a Victualer's license for Maine Meat (Meat), 7 Wallingford Square, #104, Kittery.
- 6. Copy of application from The Cajun Lobster LLC, for a Victualer's license for The Cajun Lobster, 90 Pepperrell Rd., Kittery Point.
- 7. Copy of application from The Cajun Lobster LLC for a Special Activity/Amusement Permit for The Cajun Lobster, 90 Pepperrell Road.
- 8. Copy of application from Tributary Brewing Co., LLC for a Special Activity/Amusement Permit for Tributary Brewing Company, 10 Shapleigh Road, Kittery.
- 9. Copy of application for a Malt, Spirituous and Vinous Liquor License for The Cajun Lobster, 90 Pepperrell Road, Kittery Point.
- 10. Copy of e-mail request (received July 22, 2014) from Melissa Lauckner of the Kittery Youth Football League to hold a Tag Day at the Resource Recovery Facility on August 16, 2014 from 9:00 a.m. until 2:00 p.m.
- 11. Copy of e-mail from Jenny Wall, resigning from her position on the Parks Commission (dated July 9, 2014).
- 12. Copy of Memo and Slate of Officers for the 2015 MMA Annual Election of the Executive Committee.
- 13. Copy of e-mail from Vern J. Gardner, Jr. resigning from the Comprehensive Plan Update Committee and the Board of Appeals dated July 11, 2014.
- 14. Copy of proposed changes to the Town Charter from Councilor Dennett relating to the qualifications for municipal office.
- 15. Copy of Municipal Release Deed to J. Michael Correia and Denise Correia for property located at 9-11 Whipple Road, Tax Map 9, Lot 135.



200 Rogers Road, Kittery, ME 03904 Telephone: (207) 475-1329 Fax: (207) 439-6806

WORKSHOP

6:00 p.m. "Assessing 101 for Property Owners"

July 28, 2014

Kittery Town Council Regular Meeting Agenda 7:00 p.m. Council Chambers

- 1. Call to Order
- 2. Introductory
- 3. Pledge of Allegiance
- 4. Roll Call
- 5. Agenda Amendment and Adoption
- 6. Town Manager's Report
- 7. Acceptance of Previous Minutes
- 8. Interviews for the Board of Appeals and Planning Board
- 9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

(070214-1) The Kittery Town Council moves to authorize the submission of the Phase IV Grant application for the Spruce Creek Watershed Restoration Project with a town match of \$65,000 (\$45,000 in-kind services and \$20,000 to fund annual water quality sampling for two years).

PUBLIC HEARINGS

- a. (070214-2) The Kittery Town Council moves to hold a public hearing on an application from Jarrod Spangler, 31 Hill Street, Dover, NH for a Victualer's License for Maine Meat (Meat), 7 Wallingford Square, #104, Kittery.
- b. (070214-3) The Kittery Town Council moves to hold a public hearing on an application from The Cajun Lobster LLC, 90 Pepperrell Road, Kittery Point, for a Victualer's License for The Cajun Lobster, 90 Pepperrell Road, Kittery Point.
- c. (070214-4) The Kittery Town Council moves to hold a public hearing on an application from The Cajun Lobster LLC, 90 Pepperrell Road, Kittery Point, for a Special Activity/ Amusement Permit for The Cajun Lobster, 90 Pepperrell Road, Kittery Point.

d. (070214-5) The Kittery Town Council moves to hold a public hearing on an application from Tributary Brewing Co., LLC, 5 Winding Brooke Road, South Berwick, Maine for a Special Activity/ Amusement Permit for Tributary Brewing Company, 10 Shapleigh Road, Suite A, Kittery.

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. (070214-6) The Kittery Town Council moves to approve the application from The Cajun Lobster, 90 Pepperrell Road, Kittery Point, for a Malt, Spirituous and Vinous Liquor License for The Cajun Lobster, 90 Pepperrell Road, Kittery Point.
- c. (070214-7) The Kittery Town Council moves to approve the request of the Kittery Youth Football League to hold a Tag Day fundraiser at the Resource Recovery Facility on Saturday, August 16th 2014 between the hours of 9:00 a.m. and 2:00 p.m.
- d. (070214-8) The Kittery Town Council moves to accept the resignation from Jenny Wall from the Parks Commission.
- e. (070214-9) The Kittery Town Council moves to approve the slate of officers for the 2015 Vice President and members of the Maine Municipal Association Executive Committee.
 - f. (070214-10) The Kittery Town Council moves to approve the disbursement warrants.
- g. (070214-11) The Kittery Town Council moves to authorize the release of funds to supplement the \$20,000 grant received from the Small Harbor Improvement Program for the Traip Float.
- h. (070214-12) The Kittery Town Council moves to accept the resignation from Vern J. Gardner, Jr. from the Comprehensive Plan Update Committee and the Board of Appeals.
- i. (070214-13) The Kittery Town Council moves to appoint Karen Saltus to the Kittery Conservation Commission, as a regular member, until May 31, 2015.
- j. (070214-14) The Kittery Town Council moves to discuss a proposed charter amendment relating to the qualifications for municipal office.
- k. (070214-15) The Kittery Town Council moves to sign a Release Deed, releasing the tax liens to J. Michael Correia and Denise Correia of South Berwick, Maine for property located at 9-11 Whipple Road, Kittery, Maine, identified as Assessor's Tax Map 9, Lot 135.

- 14. **COUNCILOR ISSUES OR COMMENT**
- COMMITTEE AND OTHER REPORTS 15.
 - a. Communications from the Chairpersonb. Committee Reports
- 16. **EXECUTIVE SESSION**
- 17. **ADJOURNMENT**

Posted: July 24, 2014



Nancy Colbert Puff Town Manager

TOWN OF KITTERY

Office of the Town Manager 200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806 ncolbertpuff@kitteryme.org

Town Manager's Report to the Town Council July 28, 2014

- 1. Traip Float Bids As reported at our last session, the State is willing to share 50/50 in the bid overage for the Traip Float project. The \$20,000 originally allocated for the project is now estimated to cost \$31,010, which translates into an additional \$5,505 for the Town and the State each. The Port Authority has a CIP account (#4052 – Float and Ramp Program) which is able to cover this additional cost. This is on this evening's agenda, as the State has requested the Council's support of this additional grant funding.
- 2. Harbormaster Resignation We are working with the Kittery Port Authority (KPA) to update the job description and advertise this position. We are working to develop a Memorandum of Agreement (MOA) to outline how this position operates under the authority of the KPA, but also cooperates with and reports to the Town, and falls under its administrative umbrella.
- 3. Wood Island Temporary Repair Work On Friday the 18th I visited Wood Island to observe the temporary repair work performed by Preservation Timber Framing Inc. The work is now complete.
- Capital Improvement Program (CIP) Committee The CIP Committee met last Wednesday to discuss its charge to recommend to Council a potential bond issue for this fall. The Committee will meet regularly throughout the month of August to complete this work.
- 5. Rice Public Library (RPL) Library Director Lee Perkins reports that the RPL is having some of its gables repainted and woodwork restored, beginning this week. Also: the RPL Board met and voted to amend its policy to exclude political and religious meetings/events on RPL-owned property.

If you have any questions or concerns prior to Monday's evening's meeting, please do not hesitate to contact me. Thank you.

Respectfully Submitted,
Nancy Colbert Puff

Nancy Colbert Puff

1		KITTERY TOWN CC	UNCIL
2	July	14, 2014	COUNCIL CHAMBERS
3	1.	Call to Order	
4		Chairperson Thomson called the meeting to orde	er at 7:00 P.M.
5	2.	Introductory	
6		Chairperson Thomson read the introductory.	
7	3.	Pledge of Allegiance	
8		Chairperson Thomson led those present in the Pl	edge of Allegiance.
9	4.	Roll Call	
10 11	Pelle	Answering the roll were Chairperson Jeffrey The etier, Judy Spiller, Frank Dennett and Jeffrey Brake.	•
12	5.	Agenda Amendment and Adoption –	
13		The agenda was accepted as presented.	
14	6.	Town Manager's Report –	
15 16 17 18	conti	Town Manager Puff stated that the town had rec gy Initiative to convert the boiler in the annex of th inued that they expected that to be a huge savings a would be finished by December.	e KCC from oil to natural gas. She
19 20 21 22 23	inters and the	Town Manager Puff indicated that in April they KACTS - Regional Transportation Agency for work section. She continued that after inspection, they had that the 10% match would come out of next year's cated that she was looking for Council endorsement	at the Walker and Wentworth ad been awarded \$810,000 for the project CIP budget. Town Manager Puff
24 25 26		Town Manager Puff noted that on June 26 th , they structure project. She continued that a low bid had rwork to come back to start that project.	
27 28 29		Town Manager Puff stated that they had opened higher than expected. She continued that the State was enough money in the CIP budget to cover the	would be sharing 50% of the cost and

55

56

57

58

59

30 31		g for Council to indicate that it was okay to move forward with this as well. Chairperson son asked that this item be placed on the July 28 th agenda.
32 33	into th	Town Manager Puff indicated that the harbormaster had resigned and they were looking e process of hiring a new harbormaster.
34		Town Manager Puff stated that the BIG project was just about complete.
35 36	compl	Town Manager Puff noted that the traffic study in the Shapleigh School area would be eted in the fall when school was back in session.
37 38	11 th re	Town Manager Puff noted that they would be having an Executive Session on August garding the dilapidated buildings in town.
39 40 41		Town Manager Puff stated that she had met with the Chair, Town Clerk Place and the attorney relative to the changes to the Personnel Board. She continued they would be no forward proposed changes to the Personnel Code through an ordinance.
42		Town Manager Puff indicated the search for a new foreman was going well.
43 44	of Ran	Town Manager Puff stated that a formal lawsuit had been filed relative to the assessment day Price's property.
45 46 47	okay to	Chairperson Thomson noted there was a consensus of Council that the Manager had the o go forward with the new amount for the KACTS grant for the Walker & Wentworth ection.
48	7.	Acceptance of Previous Minutes -6/23/14 & 6/30/14
49		The minutes of 6/23/14 & 6/30/14 were accepted as amended.
50	8.	Interviews for the Board of Appeals – None
51 52	9. consul	All items involving the town attorney, town engineers, town employees or other town tants or requested officials – None
53	10.	PUBLIC HEARINGS -
54		a. (070114-1) The Kittery Town Council moves to hold a public hearing on an

local, printed media on July 5th. Chairperson Thomson then opened the public hearing, and no

application from Suzanne's Village Café & Bistro, LLC, 373 Southside Road, York, Maine for a

Chairperson Thomson indicated that notice of this public hearing was advertised in the

Victualer's License for Misto, 436 US Route 1, Kittery.

response being heard, closed the public hearing.

60 61 62 63	COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM SUZANNE'S VILLAGE CAFÉ & BISTRO, LLC, 373 SOUTHSIDE ROAD, YORK, MAINE FOR A VICTUALER'S LICENSE FOR MISTO, 436 US ROUTE 1, KITTERY, SECONDED BY COUNCILOR PELLETIER.
64 65	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
66 67 68 69	b. (070114-2) The Kittery Town Council moves to hold a public hearing on an application from Tributary Brewing Company, LLC, 5 Winding Brooke Road, South Berwick, Maine for a Victualer's License for Tributary Brewing Company, 10 Shapleigh Road, Suite A, Kittery.
70 71 72	Chairperson Thomson indicated that notice of this public hearing was advertised in the local, printed media on July 5 th . Chairperson Thomson then opened the public hearing, and no response being heard, closed the public hearing.
73 74 75 76 77	COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM TRIBUTARY BREWING COMPANY, LLC, 5 WINDING BROOKE ROAD, SOUTH BERWICK, MAINE FOR A VICTUALER'S LICENSE FOR TRIBUTARY BREWING COMPANY, 10 SHAPLEIGH ROAD, SUITE A, KITTERY, SECONDED BY COUNCILOR PELLETIER.
78 79	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
80 81 82 83	c. (070114-3) The Kittery Town Council moves to hold a public hearing on, and hereby ordains an ordinance to authorize the execution of a multi-year management agreement between the Town of Kittery and the Maine Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands for management of the John Paul Jones Park.
84 85 86 87	Chairperson Thomson stated that this process had been ongoing for a few months and this would be the first step for the town to eventually take over the park. He noted that actual transfer of ownership would require legislative action. Chairperson Thomson then opened the public hearing, and no response being heard, closed the public hearing.
88 89 90 91 92 93	COUNCILOR WHITE MOVED THAT THE KITTERY TOWN COUNCIL HEREBY ORDAIN AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A MULTI-YEAR MANAGEMENT AGREEMENT BETWEEN THE TOWN OF KITTERY AND THE MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY, BUREAU OF PARKS AND LANDS FOR MANAGEMENT OF THE JOHN PAUL JONES PARK, SECONDED BY COUNCILOR SPILLER.

94 95 96		Councilor Dennett asked why Council would want to enter into a management agreement it would still remain a park. He continued that if they kept things the way they were atly, it would cost the town nothing.
97 98 99 100	upkee	Norm Albert then came to the podium and spoke about how the town had been mowing beging up the park in the winter time for the past few years as the State did not do much p. He continued that this would allow for a regular mowing schedule and that they could ain the park without any additional help or cost.
101 102 103 104 105 106	money that he into K	Chairperson Thomson stated that he saw this as a part of a larger process of improving preside area. Councilor Dennett indicated that he did not think they should spend any extra of on this when it was the state's obligation to maintain the park. Councilor Brake noted agreed with Councilor Dennett. Chairperson Thomson stated that this was the gateway littery and did not think it should look unsightly. Councilor Spiller noted that she thought as a good opportunity to get control of the park.
107 108	COU	A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT AND NCILOR BRAKE OPPOSED. MOTION PASSES 4/2.
109	11.	DISCUSSION
110		a. Discussion by members of the public (three minutes per person) -
111 112	comm	George Varney came to the podium and stated that the park was the entrance into the unity and that he thought the town should maintain it.
113		b. Chairperson's response to public – none
114	12.	UNFINISHED BUSINESS - None
115	13.	NEW BUSINESS
116		a. Donations/gifts received for Council disposition - None
117 118 119		b. (070114-4) The Kittery Town Council moves to approve the application from ne's Village Cafe & Bistro LLC, 373 Southside Road, York, Maine for a Malt, Spirituous inous Liquor License for Misto, 436 US Route 1, Kittery.
120 121 122		COUNCILOR SPILLER MOVED TO APPROVE THE APPLICATION FROM NNE'S VILLAGE CAFÉ & BISTRO LLC, 373 SOUTHSIDE ROAD, YORK, WE FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR MISTO,

436 US ROUTE 1, KITTERY, SECONDED BY COUNCILOR PELLETIER.

123

124 125	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
126 127 128	c. (070114-5) The Kittery Town Council moves to approve the application from Tributary Brewing Company, LLC, 5 Winding Brooke Road, South Berwick, Maine for a Malt Liquor License for Tributary Brewing Company, 10 Shapleigh Road, Suite A, Kittery.
129 130 131 132 133	COUNCILOR SPILLER MOVED TO APPROVE THE APPLICATION FROM TRIBUTARY BREWING COMPANY, LLC, 5 WINDING BROOKE ROAD, SOUTH BERWICK, MAINE FOR A MALT LIQUOR LICENSE FOR TRIBUTARY BREWING COMPANY, 10 SHAPLEIGH ROAD, SUITE A, KITTERY, SECONDED BY COUNCILOR PELLETIER.
134 135	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
136 137 138 139	d. (070114-6) The Kittery Town Council moves to approve the request from Linda Browning, President, Fuel & More to hang a banner across Rogers Road, advertising their fundraiser, for the River Dance, at Weathervane, Badger's Island, from August 1 st to remain until the dance, September 6 th 2014.
140 141 142 143 144	COUNCILOR SPILLER MOVED TO APPROVE THE REQUEST FROM LINDA BROWNING, PRESIDENT, FUEL & MORE TO HANG A BANNER ACROSS ROGERS ROAD, ADVERTISING THEIR FUNDRAISER, FOR THE RIVER DANCE, AT WEATHERVANE, BADGER'S ISLAND, FROM AUGUST $1^{\rm ST}$ TO REMAIN UNTIL THE DANCE ON SEPTEMBER $6^{\rm TH}$, 2014, SECONDED BY COUNCILOR PELLETIER.
145 146	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
147 148 149 150	e. (070114-7) The Kittery Town Council moves to approve the request from Kittery Parent-Teacher Association to place a banner across Rogers Road, in front of the Community Center, from September 7 th to 21 st , 2014, advertising the September 21 st Seaside 4-miler race at Fort Foster.
151 152 153 154 155	COUNCILOR SPILLER MOVED TO APPROVE THE REQUEST FROM THE KITTERY PARENT-TEACHER ASSOCIATION TO PLACE A BANNER ACROSS ROGERS ROAD, IN FRONT OF THE COMMUNITY CENTER, FROM SEPTEMBER 7 TH TO SEPTEMBER 21 ST , 2014, ADVERTISING THE SEPTEMBER 21 ST SEASIDE 4-MILER RACE AT FORT FOSTER, SECONDED BY COUNCILOR PELLETIER.
156 157	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

158

158 159 160	f. (070114-8) The Kittery Town Council moves to amend Title 11, General Assistance, Appendices A (GA Overall Maximums) for the period of July 1, 2014 – June 30, 2015 as required and provided by the State of Maine.
161 162 163 164	COUNCILOR SPILLER MOVED TO AMEND TITLE 11, GENERAL ASSISTANCE, APPENDICES A (GA OVERALL MAXIMUMS) FOR THE PERIOD OF JULY 1, 2014 – JUNE 30, 2015 AS REQUIRED AND PROVIDED BY THE STATE OF MAINE, SECONDED BY COUNCILOR PELLETIER.
165 166	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.
167	g. (070114-9) The Kittery Town Council moves to approve the disbursement warrants.
168 169	CHAIRPERSON THOMSON MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER WITH ALL IN FAVOR.
170 171 172	h. (070114-10) The Kittery Town Council moves to approve and sign the 7/1/2014 – 6/30/16 ballot for election of members for the Legislative Policy Committee for the Maine Municipal Association.
173 174 175 176	COUNCILOR WHITE MOVED TO APPROVE AND SIGN THE 7/1/2014 – 6/30/16 BALLOT FOR ELECTION OF MEMBERS FOR THE LEGISLATIVE POLICY COMMITTEE FOR THE MAINE MUNICIPAL ASSOCIATION, SECONDED BY CHAIRPERSON THOMSON.
177 178	A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT ABSTAINED. MOTION PASSES 5/0/1.
179 180 181	i. (070114-11) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Port Authority to interview Kelly Philbrook for her re-appointment to that board until 8/31/19.
182 183 184 185	COUNCILOR DENNETT MOVED IN ACCORDANCE WITH SECTION 4.2.3.E OF THE TOWN CODE THAT KELLY PHILBROOK BE REAPPOINTED, WITHOUT INTERVIEW, TO THE KITTERY PORT AUTHORITY FOR A TERM ENDING 8/31/19, SECONDED BY COUNCILOR WHITE.
186 187 188 189 190	Councilor Pelletier stated that he was not against having Ms. Philbrook reappointed to the KPA, but thought this might be a good opportunity for a Council member to sit down with the Chair of the KPA and the member who was looking for reappointment to discuss concerns and make sure that the right members are on the board. Councilor White indicated that he agreed with that sentiment but did not think it was the right vehicle. He continued that Ms. Philbrook
	£

191 192 193	was one of the best members of the KPA and that she should be reappointed. Councilor Spiller noted that she would suggest that Council schedule a workshop with the KPA. Chairperson Thomson indicated that he would be looking for a workshop with the KPA in early September.	
194 195	6/0.	A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES
196	14.	COUNCILOR ISSUE OR COMMENT
197 198 199		Councilor Spiller asked that the Chair and the Town Manager communicate to the chairs her boards and committees in town regarding the posting of meetings and also engaging in communications with one another.
200 201 202 203 204	conti issue	Councilor White stated that he was disturbed about the letters the town had received the unfair taxation of properties on Gerrish Island and about the recent lawsuit filed. He nued that it needed to be a fair process and that Council should be very concerned about the Chairperson Thomson responded that he hoped that some answers would be received at seessment workshop scheduled for July 28 th .
205 206	going	Councilor White indicated that things on the Comprehensive Plan Committee were not gwell.
207	15.	COMMITTEE AND OTHER REPORTS
208		a. Communications from the Chairperson –
209 210 211		Chairperson Thomson asked that the Code Enforcement Office look at the property tenance ordinance to see how it might affect the former Kittery Family Practice building ooked to be abandoned.
212		b. Committee Reports -None
213	16.	EXECUTIVE SESSION – None
214	17.	ADJOURNMENT
215 216	WHI	COUNCILOR SPILLER MOVED TO ADJOURN, SECONDED BY COUNCILOR TE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:08 P.M.
217		
210		



200 Rogers Road, Kittery, ME 03904 Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date:

July 28, 2014

From:

Jessa Kellogg, Shoreland/Environmental Resource Officer

Forrest Bell and Whitney Baker, FB Environmental Associates

Phyllis Ford, Spruce Creek Association

Subject:

Spruce Creek Watershed Restoration Project - Phase IV Grant Application

Councilor Sponsor:

Jeffrey Thomson, Council Chair

EXECUTIVE SUMMARY

FB Environmental Associates (FBE) has been assisting the Town of Kittery and the Spruce Creek. Association (SCA) for more than eight years to improve the water quality and aquatic habitat in Spruce Creek. FBE and the SCA are hoping to apply for a fourth phase of Section 319 grant funding from Maine Department of Environmental Protection (ME DEP). This phase of the Spruce Creek Watershed Restoration Project will focus on installing Best Management Practices (BMPs) to specifically treat bacteria in stormwater before it reaches Spruce Creek. BMPs will be installed at areas identified through town-funded bacteria sampling projects and earlier phases of this project as "hotspots" of bacterial contamination under wet weather conditions. The ultimate goals of this project are to help reduce bacteria inputs, improve overall water quality, and open shellfish harvesting areas in Spruce Creek. Phase IV of this project will also continue to monitor previously identified "hotspots" and will seek to identify additional areas of concern in the watershed.

STATEMENT OF NEED

A requirement of 319 grant funding is a contribution of match from the Town. This match does not need to all be cash; in fact the majority of the match is usually from in-kind services such as time and equipment from Public Works, municipal staff and volunteers. In the past three phases of these grants we have been able to document over \$300,000 in match (both in-kind and cash) from the Town of Kittery, making it a stand-out project to ME DEP. The application for the grant is due on August 11, 2014 and a requirement of the application is a letter of support from the Town indicating that the Town is in support of the application, is aware of the match requirement of the grant and is prepared to provide this match.

BACKGROUND

Spruce Creek is an ecologically and economically significant estuarine resource in Southern Maine supporting a diverse array of recreational and commercial water-based activities, however it is considered impaired due to bacteria by ME DEP and is currently closed to shellfish harvesting. Through multiple town-funded and volunteer water quality monitoring projects, polluted runoff has been identified as the most significant nonpoint source contributing bacteria to Spruce Creek. Since 2009, multiple "hotspots" of bacteria to Spruce Creek have been identified and assessed through town-funded projects. These "hotspots" include stormwater outfalls, tributaries flowing to the main stem of the Creek, and concentrated developed areas and have been assessed under various weather conditions. To address these concerns, FBE has successfully assisted the Town of Kittery in applying for, receiving, and managing over \$225,000 in grant money from the ME DEP through their Section 319 Watershed Restoration grants program since 2008. Many of these "hotspots" have

since been addressed through the implementation of Phases I – III of the Spruce Creek Watershed Restoration Project and town-funded remediation.

CURRENT SITUATION

This additional phase of a ME DEP 319 grant would provide additional resources for targeted follow-up to these recent accomplishments. Developed and residential areas continue to contribute to water quality degradation in Spruce Creek at an increasing rate as stormwater runoff from impervious surfaces reaches the Creek untreated. Treating runoff from these areas before it reaches the Creek is a top priority for the Town of Kittery and its partners. The efforts of previous grant phases and projects funded directly by the Town of Kittery and through other sources (e.g. Piscataqua Regional Estuary Partnership) have allowed project staff, technical consultants, and volunteers to more closely identify problem areas utilizing newly acquired monitoring and assessment data. The successful funding of this project will allow project stakeholders to implement additional stormwater Best Management Practices with the goal of treating stormwater runoff at previously identified "hotspots."

PROPOSED SOLUTION/RECOMMENDATION

A fourth phase of 319 grant funding will be unprecedented and in an attempt to secure the funding we are submitting a smaller grant request and have narrowed the scope of projects to be completed. During this phase we plan on developing a "Green Streets" Program where project partners will implement at least four (4) stormwater retrofits on roadways and parking lots that have previously been identified as priority sites for stormwater runoff. These projects will be highlighted in a tour at the end of the project duration. This fourth grant proposal also includes two years of bacteria monitoring in Spruce Creek which will build upon current and past water quality monitoring funded by the Town of Kittery outside the scope of the previous three 319 grants awarded (annual funding of \$25,000 has been allotted since 2009). Sites will be sampled for E. coli and fecal coliform bacteria under different weather and flow conditions and will be identified by the project Steering Committee at the beginning of each project year. Finally, this grant will enable the Town of Kittery and FBE to estimate NPS pollutant load reductions (bacteria, sediment, nitrogen, phosphorus) and resources protected under this project.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

Total Grant Funds Requested: \$59,050

Total Match: \$65,000

- \$45,000 in-kind (staff and volunteer hours; Public Works staff and equipment)
- \$20,000 to fund annual water quality sampling projects (\$10,000 per year for two years)

The Town of Kittery and the Spruce Creek Association have been actively involved in protecting and restoring water quality to Spruce Creek for many years and the successful completion of three phases of the Spruce Creek Watershed Restoration Project has been recognized by the ME DEP as an exemplary model for similar grants throughout the state. This fourth phase of funding is aimed at treating stormwater runoff before it reaches Spruce Creek, building upon current and past water quality monitoring, and analyzing the results of projects from all four phases. Regarding the \$20,000 match for annual water quality sampling projects, this sampling must occur for the grant to get funded so that we can show the potential increase in water quality resulting from our work. This is difficult to show (due to different weather patterns, etc.) in a few years and needs to be shown over many years in order to be statistically valid data. The cost is \$10,000 per year for two years and the Spruce Creek Association is working to raise funds for sampling that would lower this cash match needed from the Town of Kittery.



Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806 0 3 2014

BYXE

APPLICATION FOR VICTUALERS, INNKEEPERS, AND LODGING HOUSE OPERATORS LICENSE

Applicant's name: Sacrock Spansler (please print)
Residence Address: 31 Hill St Dover, NH 03820 (please print)
Applicant's mailing address if different from above:
Applicant's Date of Birth: 4/24/81 Applicant's Home Telephone Number: (003-767-78)
Name of Business: Mana Meat (MEat)
Business Address: 7 Walling Coud So #104
Business Telephone Number: 705-62 (9
SIGNATURE OF APPLICANT: DATE:
APPLICANT'S NAME: VARON SPANG (CR. (please print)
LICENSE FEE: \$ 50.00 RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



Office of the Town Clerk 200 Rogers Road, Kittery, Maine 03904 Telephone: (207) 475-1328 Fax: (207) 439-6806

APPLICATION FOR VICTUALERS, INNKEEPERS, AND LODGING HOUSE OPERATORS LICENSE

Applicant's name: The Cajun Lobster LLC
Residence Address: 90 Pepperrell Rd., Kittery Point, ME
Applicant's mailing address if different from above: P.O. Box 141, Kittery Point
Applicant's Date of Birth: 3/9/84 Applicant's Home Telephone Number:
Name of Business: The Cajun Lobster
Business Address: 90 Pepperrell Rd., Kittery Point, ME
Business Telephone Number: 1, 207, 703, 2397
SIGNATURE OF APPLICANT: CHYNER DATE: 6/12/14
APPLICANT'S NAME: Kelly Neel (please print)
(please print)

LICENSE FEE: \$ 50,00

FIRST TIME APPLICATIONS: \$50.00 RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



Office of the Town Clerk 200 Rogers Road Kittery, Maine 03904 Phone 207-474-1328 Fax 207-439-6806

<u>APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT</u> (Pursuant to 28-A M.R.S.A. Sec. 1054)

Name, address and legal status of individual(s) or entity seeking to hold permit: The Cajun Lobster LLC
P.O. Box 141, Kittery Point (88 Pepperrell Rd,)
Name and mailing address of the premises where the special activity/amusement will occur:
The Cajun Lobster 90 Pepperrell Rd., Kittery Point, ME 03905
Mailing address and telephone number of owner of the real estate: Alphonse D'Amico P.O. Box 57, Kittery Point, 1.617.538.1097
Describe the specific portion of the premises where the special activity/amusement will occur: RESTAURANT, Patio (upstairs & downstairs)
Set forth the specific time periods between which the special activity/amusement will occur: Sun, Mon, Tues, Wed, Thurs, Fri, Sat, 11:00am - 2am
Describe the specific activity or type of amusement for which the permit is requested: Bands, Comedians, Dancing, Triva, DTS
Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes No
If so, give the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:
N/A

Give any additional information to support your request for the permit sought herein:
As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.
Give the authority and legal relationship of the applicant signing below to the entity seeking permit:
Owner/Manager
NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.
DATE OF APPLICATION: $7/3/2014$
SIGNATURE OF APPLICANT: Kelly Veel
APPLICANT'S NAME: Kelly Neel (please print)
ADDRESS: P.O., Box 141, Kittery Point, ME 0390
TELEPHONE NUMBER: 1,337,967,6954
FEE: \$20.00 per year Must be renewed annually with liquor license.

PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



Office of the Town Clerk P. O. Box 808 Kittery, Maine 03904 207-439-0452 ext. 328

<u>APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT</u> (Pursuant to 28-A M.R.S.A. Sec. 1054)

Name, address and legal status of individual(s) or entity seeking to hold permit:
Tributary Brewing Co., LLC 5 Winding Parcole in, S. Berwick, ME 03908
5 Winding 18780 Ke EM., S. DERWICK, THE 03908
Name and mailing address of the premises where the special activity/amusement will occur:
Tributary Brewing Co.
Tributary Brewing Co. 10 Shapleigh Rd., Soute A, Kiltey, ME 0390
Mailing address and telephone number of owner of the real estate: Debbie DVIS COIL
Driscoil Realthy, POBOX 207, Kittery Pt., ME 03905
Describe the specific portion of the premises where the special activity/amusement will occur:
Tasting Room
Set forth the specific time periods between which the special activity/amusement will occur: Tostry Room hows 12-4pm Wed - Sat Tostry Room hows 1-4pm Sundays
Describe the specific activity or type of amusement for which the permit is requested:
Bands or DT with potential for dancing
Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes No If so, give the state of conviction for any felony and describe specifically the circumstances of any such
denial or revocation giving the state or city and date of such denial or revocation:

Give any additional information to support your request for the permit sought herein:
As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.
Give the authority and legal relationship of the applicant signing below to the entity seeking permit:
Owner and business manager
NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated. DATE OF APPLICATION: 7 / 14 / 14
SIGNATURE OF APPLICANT: Jalen M. Mott
SIGNATURE OF APPLICANT: Jalen M. Mott APPLICANT'S NAME: Galen M. Mott (please print) ADDRESS: 5 Winding Prooke Ln., S. Berwick 03905 (please print)
(please print)
ADDRESS: 5 Winding Brooke Ln., S. Berwick 03905
(please print)
γ_{c7} and γ_{c4}
TELEPHONE NUMBER: 207 384-2568
TELEPHONE NUMBER: 00 1 08 1 20 00

FEE: \$20.00 per year <u>Must be renewed annually with liquor license.</u>

PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE

Department of Public Safety Liquor Licensing & Inspection Division

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospec-



BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

any substantial investment in an establishment that now is, or may be, attended by a liquor license.	PRESENT LICENSE EXPIRES
INDICATE TYPE OF PRIVILEGE: 👈 MALT	X SPIRITUOUS & VINOUS
INDICAT	TE TYPE OF LICENSE:
□ RESTAURANT (Class I,II,III,IV)	RESTAURANT/LOUNGE (Class XI)
☐ HOTEL-OPTINONAL FOOD (Class I-A)	☐ HOTEL (Class I,II,III,IV)
□ CLASS A LOUNGE (Class X)	☐ CLUB-ON PREMISE CATERING (Class I)
□ CLUB (Class V)	☐ GOLF CLUB (Class I,II,III,IV)
□ TAVERN (Class IV)	OTHER:
REFER TO PA	AGE 3 FOR FEE SCHEDULE
ALL QUESTIONS N	MUST BE ANSWERED IN FULL
1. APPLICANT(S) -(Sole Proprietor, Corporation, Limited Liability	
The Cajun Lobster, LLC DOB:	The Cajun Lobster
DOB:	90 Peopercell Rd.
DOB:	Location (Street Address)
Address	City/Town State Zip Code
90 Pepperreli Road	P.O. Box 141
Citted Brint ME 039	Mailing Address 05 Kittery Point ME 03905
City/Town State Zip	Code City/Town State Zip Code
<u> 207-703-2397 207-703-24</u>	<u> 27 207,703,2397 207,703,2627</u>
Telephone Number Fax Number	Business Telephone Number Fax Number
Federal I.D. # 44-5635098	Seller Certificate # 1168561
3. If premises is a hotel, indicate number of rooms ava	tilable for transient guests:
4. State amount of gross income from period of last lic	cense: ROOMS \$ NA FOOD \$ LIQUOR \$
5. Is applicant a corporation, limited liability company	or limited partnership? YES NO 🗆
If YES, complete Supplementary Questionnaire	
6. Do you permit dancing or entertainment on the licer	nsed premises? YES NO 🗆
7. If manager is to be employed, give name:	hy Neel
8. If business is NEW or under new ownership, indica	te starting date: Mid August
Requested inspection date:	Business hours:
9. Business records are located at: 90 Peppe	errell Rd., Kitten, Point, ME 03909
10. Is/are applicants(s) citizens of the United States?	YES NO D
11. Is/are applicant(s) residents of the State of Maine?	YES NO 🗆
164 State House St	tation Augusta Me 04333-0164

Tel: 207-624-7220 Fax: 207-287-3424

12. List name, date of birth, and place of birth for all applicants, r Use a separate sheet of paper if necessary.	managers, and bar managers. G	ive maiden name, if married:
Name in Full (Print Clearly)	DOR	Place of Birth
Kelly Ann Neel		New Ibena, Lt
Residence address on all of the above for previous 5 years (Limit New 160, LA DeRidder, LA ME)	it answer to city & state Lake Charles, L	A, pyer Broo
13. Has/have applicant(s) or manager ever been convicted of any of any State of the United States? YES D NO	violation of the law, other then	minor traffic violations,
Name:	Date of Conviction:	
Offense:	Location:	
Disposition:	·	
14. Will any law enforcement official benefit financially either di		
15. Has/have applicant(s) formerly held a Maine liquor license?		
16. Does/do applicant(s) own the premises? Yes \(\Pi \) No \(\text{No} \) I Ami \(\text{CO} \) Pro \(\text{Rox} \) Box \(\text{S7} \) Kithey Possible in detail the premises?	f, No give name and address of one in the man address of one in the second seco	owner: Alphonse
17. Describe in detail the premises to be licensed: (Supplemental	Diagram Required)	aurant
18. Does/do applicant(s) have all the necessary permits required by YES NO Applied for:	by the State Department of Hun	nan Services?
19. What is the distance from the premises to the NEAREST schemeasured from the main entrance of the premises to the main or parish house by the ordinary course of travel? O.3 miles	entrance of the school, school of	dormitory, church, chapel
20. Have you received any assistance financially or otherwise (in self in the establishment of your business? YES: NO	cluding any mortgages) from ar	ny source other than your-
If YES, give details:)	
The Division of Liquor Licensing & Inspection is hereby authorized pertaining to the business, for which this liquor license is request in which any liquor license is in effect. NOTE: "I understand that false statements made on this form a tion on this form is a Class D offense under the Criminal Code, fine of up to \$2,000 or both."	ted, and also such books, record are punishable by law. Knowin	ds and returns during the year ngly supplying false informa-
Dated at: Kittery Point, ME on _	July 14,	20 14
Kelly Please sign in bl	ue ink	
Signature of Applicant or Corporate Officer(s)	Signature of Applicant	or Corporate Officer(s)
Print Name	Print :	Name



State of Maine

Bureau of Alcoholic Beverages Division of Liquor Licensing and Enforcement

For Office Use Only:
License #:
Date Filed:

Supplemental Information Required for Business Entities Who Are Licensees

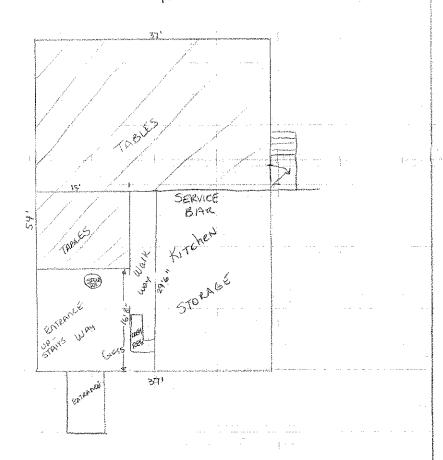
For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

•	Exact legal name:			
	The Cajun	Lobster, LLC		
2.	Other business name for your e	entity (DBA), if any:		
3.	Date of filing with the Secretary	y of State: 6/17/2014		
1.	State in which you are formed:	Maine		
5.	If not a Maine business entity, Maine:	date on which you were authorized to transa	act business in	the State of
5.	List the name and addresses for	r previous 5 years, birth dates, titles of office	ers, directors a	nd list the
,,	percentage ownership: (attache	*		
J.		*	Date of Birth	Ownership %
	percentage ownership: (attache	Address for Previous 5 years 102 Bayon Dr., Newlberia LA	}	1
	Name Name Helly Nee Hall	Address for Previous 5 years 102 Bayon Dr., Newlberia LA 70563	Birth	1
	Name Name Kelly Neel 431 700 27	Address for Previous 5 years 102 Bayon Dr., New Iberia, LA 70563 Oreal St., Deridden, LA 70634 Morningside, LAke Charles, LA 7 Dyer Brook, ME 04747	Birth	1
·	Name Name Kelly Neel 431 700 27	Address for Previous 5 years 102 Bayon Dr., Newlberia LA 70563	Birth	1
	Name Name Kelly Neel 431 700 2-7 PC	Address for Previous 5 years 102 Bayon Dr., New Iberia, LA 70563 Oreal St., Deridden, LA 70634 Morningside, LAke Charles, LA 7 Dyer Brook, ME 04747	Birth 3-9-84	1
	Name Name Kelly Neel 431 700 2-7 PC	Address for Previous 5 years 102 Bayon Dr., New Iberia, LA 70563 Oreal St., Deridden, LA 70634 Morningside, LAke Charles, LA 7 byer Brokme 04747 D. Box, Kittery Point ME 03905	Birth 3-9-84	1
7.	Name Name Name H3 T00 2-7 PC	Address for Previous 5 years 102 Bayon Dr., New Iberia, LA 70563 Oreal St., Deridden, LA 70634 Morningside, LAke Charles, LA 7 byer Brokme 04747 D. Box, Kittery Point ME 03905	Birth 3-9-84	1

9.	Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?
	Yes No
10.	If Yes to Question 8, please complete the following: (attached additional sheets as needed)
	Name:
	Date of Conviction:
	Offense:
	Location of Conviction:
	Disposition:
Signat	ure:
Ke	Date This puly Authorized Person Date Date
.	
Submi	t Completed Forms To:Bureau of Alcoholic Beverages Division of Liquor Licensing and Enforcement 164 State House Station Augusta, Me 04333-0101 Telephone Inquiries: (207) 624-7220

AR Land Para and Carlotte - America Harrison (1979) 1994 - 1914 - Marchille Grandisti সাহিত্য হৈছে

Ocean



Floor - Dining Rm Hours of Operation - Summine

Sunday - Sarurday
11 Am - 10 pm Customec Access

Seating Source
FOUTAGE 1099

Licensed for 125 seats

Licens

Engance 171100 TABLES 37 OCEAN SECONO. Floor - Old STORE LOFT.
Banquet Rm/Lourise

for 105

5 unday 10-6 Entertainment
Friday & Saturday 9 pm - 1230 am

4-130

Thursday 4-11

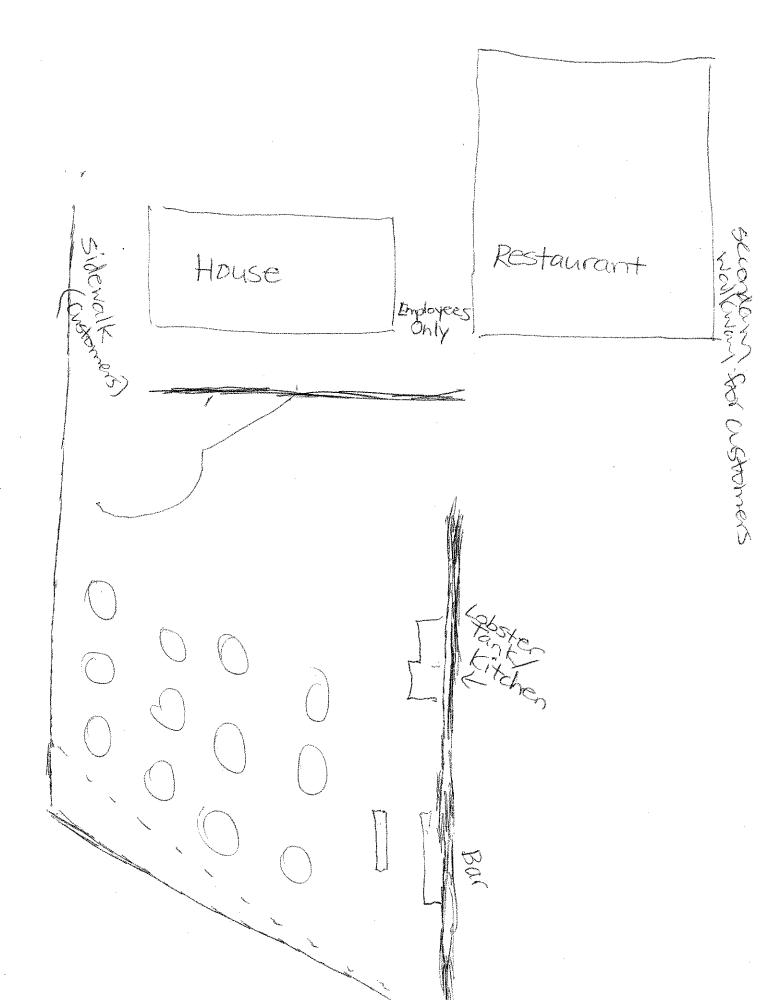
Friday 4-1

Hours of Operation

.M 25 (28

Customer Access Seating Sonare Footage

766



NOTICE - SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituous, Vinous and Malt	900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituous, Vinous and Malt, Optional Food (Hotels Only)	,100.00
Class II	Spirituous Only	550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	220.00
Class IV	Malt Liquor Only	220.00
Class V	Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	495.00
Class X	Spirituous, Vinous and Malt – Class A Lounge CLASS X: Class A Lounge	2,200.00
Class XI	Spirituous, Vinous and Malt – Restaurant Lounge	1,500.00
FILING F	TEE\$	10.00
UNORGA ized territo	NIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants arises shall submit along with their application evidence of payment to the County Treasurer.	in unorgan-

All fees must accompany application, made payable to: TREASURER, STATE OF MAINE. - DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164. Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

3.6.4

Dated at.		, ivia	ine	SS
	City/Town		(County)	**************************************
On:				
	Date			
The undersigned bein	g: 🗆	Municipal Officers	☐ County Commissioners	of the
□ City □ Town	☐ Plantation	☐ Unincorporated Pla	ace of:	, Maine
Hereby certify that we h Maine Revised Statutes	ave given public and herby approv	notice on this application re said application.	and held public hearing thereon as re	equired by Section 653 Title 28A
	· · · · · · · · · · · · · · · · · · ·			

THIS APPROVAL EXPIRERS IN 60 DAYS

NOTICE - SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

Datad at.

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new onpremise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of
 the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the
 date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as
 well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license
 that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise
 license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
- 2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

- 3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
- 4. No license to person who moved to obtain a license. (REPEALED)
- 5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

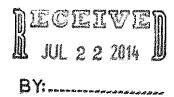
To whom it may concern at the Town of Kittery,

Kittery Youth Football League is requesting to have Tag Day (fundraising) at the Kittery Resource Recovery Facility on August 16th 2014 between the hours of 9-2. It is to raise money for the football team. The kids will be in uniform and there will be a parent there to supervise & the children will not be left unattended.

Thank you for the consideration.

Melissa Lauckner

KYFL



Maryann Place

From: Sent:

Jenny [jennywalljack@yahoo.com] Wednesday, July 09, 2014 12:51 PM Maryann Place

To:

Subject:

My resignation

To whom it may concern,

Because of unexpected and unforeseen family matters, I regretfully must resign my position on the Parks Dept. board.

I am so sorry for the inconvenience.

Sincerely,

Jenny Wall



60 COMMUNITY DRIVE AUGUSTA, MAINE 04330-9486 (207) 623-8428 www.memun.org



TO:

Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM:

Chris Lockwood, MMA Executive Director

DATE:

July 8, 2014

SUBJECT:

MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 15, 2014 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2015 to member municipalities.

<u>Petition Process</u> – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was July 7. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

<u>Election Process</u> – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers <u>or</u> a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 15. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Peter Nielsen.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Friday, August 15, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held Wednesday, October 1, at 1:45 p.m., at the Augusta Civic Center. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon and Annual Business Meeting and officially take office on January 1, 2015.

If you have any questions on the Election Process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.

MAINE MUNICIPAL ASSOCIATION EXECUTIVE COMMITTEE

BIOGRAPHICAL SKETCH OF PROPOSED SLATE OF NOMINEES FOR 2015

MMA VICE PRESIDENT (1-Year Term)

STEPHAN BUNKER

- 45 +years in public sector @ federal/military, state, county, municipal & school district levels
- Retired, State Service, Maine Dept. of Public Safety & E911 Bureau (25 years)
- Selectman, Town of Farmington, (20 + yrs); Chair (2009-March 2013); re-elected March 2014)
- Maine Municipal Association Executive Committee, Member (2007 March 2013);
 MMA Vice President 2012; MMA President (January March 2013)
- Maine Municipal Association Strategic & Finance Committee (2008 March 2013)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2007 March 2013)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2007 March 2013)
- Member, Franklin County Elected Officials Association
- Past Member, Franklin County Budget Committee (8 + years)
- Past Member, Citizen's Budget Committee, (10 yrs) 5 as Chairman
- Past Member, SAD#9/SAD#58 School Consolidation Planning Committee
- Current member, Farmington Fire & Rescue Department (35 + years)
- Past President, Franklin County Firefighters Association
- Governor Appointee, Maine Fire Protection Services Commission (6 + yrs)
- At Large Appointee, DOL Commission for the Deaf, Late Deafened & Hard of Hearing(6+ years)
- Municipal Government Rep., Maine E911 Advisory Council (first year)
- Governor Appointee, Maine Fire Protection Services Commission (6+ years)
- Adjunct Instructor Maine Fire Training & Education, SMCC (25 yrs)
- Active duty, US Army Military Police Specialist, K-9s (3 yrs)
- US Coast Guard Reserves, Environmental protection & maritime casualty investigations, retired as Lt. Commander (23 yrs)
- Former Emergency Medical Technician-Basic (10 years)
- Police Officer, Town of Farmington PD (1972-74) full time
- Staff, Maine Criminal Justice Academy Waterville (4 years)
- Juvenile Crisis Counselor, SAD # 9 Farmington (2 years)
- Emergency Dispatch/Corrections Supervisor, Franklin County (3 years)
- Executive Director, Maine Sheriffs Association, (3 years)
- Masters in Adult Education, University of Maine, Orono (1977)
- Bachelors of Science in Criminal Justice, minor in Sociology, University of Maine, Orono (1974)
- Associate Degree, Law Enforcement Technology, Southern Maine Technical College (1972)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

CYNTHIA MEHNERT

- Council Member, Town of Orono (2008 Present) (Council Chair, April 2014)
- Chair of Community Development Committee (2009 present)
- Town Liaison, Orono Village Association (2009 present)
- Chair, Finance Committee (2008 2009)

CYNTHIA MEHNERT (continued)

- Special Appointment to Intergovernmental Committee for coordinating Local Government/University operational relations;
- Special Appointment to redevelopment committee for Katahdin property located in downtown Orono
- Interviewed, evaluated and selected new Town Manager
- Budget review and implementation
- Ordinance review and adoption
- Strategic planning for Town's future
- Managing Partner, Hawkes & Mehnert, LLA, Bangor (1991 2001; 2005 Present)
- Hadlock Law Office, Framingham, MA (2002 2005)
- Linda Gifford Law Office, Augusta, ME (1990 1991)
- Sanborn, Moreshead, Schade & Gifford, Augusta, ME (1989 1990)
- Rosen, Crosson, McGlynn & Resnek, Boston, MA (1985 1989)
- Board of Bar Overseers Grievance Committee (2012-2015)
- Chief of Staff for US Senatorial Campaign
- Chairperson, Board of the Maine Women's Lobby
- Special Counsel to the Legal Services for the Elderly
- Candidate for State Representative District 19
- Katahdin Counsel Recognition Award, 2012, 2013
- Recognition Award, Volunteer Lawyers Project of the Maine State Bar Association for Pro Bono Legal Service
- Very high rating for legal and ethical standards by peer evaluation for Martindale & Hubbell
- Bar Admission Federal District Court for the District of Maine
- Bar Admission Federal District Court for the District of Massachusetts
- Suffolk Law School, Boston MA (1983 1986)
- BA Major in Government, Colby College, Waterville ME (1979 1983); Captain, Women's Varsity Soccer Team; Team member, Women's Varsity Ice Hockey Team

LAURIE SMITH

- Town Manager, Town of Kennebunkport (2014 present)
- Maine Municipal Association Executive Committee, Member (2012 present)
- Maine Municipal Association Strategic & Finance Committee (2012 present); Chair (2014)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2012 present)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2012 present)
- Town Manager, Town of Wiscasset (2010 2014)
- Assistant Manager/Community Relations/Finance Director, City of Auburn (2005–2010)
- Interim City Manager, City of Auburn (2007 –2008)
- Acting Finance Director, City of Auburn (2004 2005)
- Town Manager, Town of Boothbay Harbor (1994-1999)
- Town Manager, Town of Oxford (1991-1994)
- Town Manager, Town of Boothbay (1988-1989)
- Maine Town & City Management Association, Member (1989-present); Board member (2000-2005);
 President (2003-2004)
- Paralegal, various law firms in Portland, Maine (1986 1988)
- University of Maine, Orono, Public Administration, B.A. (1986)
- Continuing education and professional development through University of Maine, Maine Municipal Association, Maine Town & City Management Association, Maine Local Roads Center and International City Management Association (1988 – 2008)



MAINE MUNICIPAL ASSOCIATION <u>VOTING BALLOT</u>

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 15, 2014

Proposed by MMA Nominating Committee: Stephan Bunker, Selectman, Town of Farmington DIRECTORS - 3 YEAR TERM Proposed by MMA Nominating Committee: Cynthia Mehnert, Councilor, Town of Orono Laurie Smith, Town Manager, Town of Kennebunkport Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since or process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date: July 28, 2014 Municipality: Kittery Signed by a Municipal Official designated by a majority of Municipal Officers: Print Name: Position: OR Signed by a Majority of Municipal Officers Signatures: Print Names: Signatures: Signatures:	VICE-PRESIDENT - 1 YEAR TERM	Vote for One	
DIRECTORS - 3 YEAR TERM Proposed by MMA Nominating Committee: Cynthia Mehnert, Councilor, Town of Orono Laurie Smith, Town Manager, Town of Kennebunkport Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date: July 28, 2014 Municipality: Kittery Signed by a Municipal Official designated by a majority of Municipal Officers: Print Name: Position: OR Signed by a Majority of Municipal Officers Current # of Municipal Officers:7	Proposed by MMA Nominating Comm	ittee:	
Proposed by MMA Nominating Committee: Cynthia Mehnert, Councilor, Town of Orono Laurie Smith, Town Manager, Town of Kennebunkport Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:	Stephan Bunker, Selectman, Town of F	armington	
Cynthia Mehnert, Councilor, Town of Orono Laurie Smith, Town Manager, Town of Kennebunkport Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:	DIRECTORS - 3 YEAR TERM	Vote for Three	
Laurie Smith, Town Manager, Town of Kennebunkport Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:	Proposed by MMA Nominating Commi	ittee:	
Patricia Sutherland, Chair of Selectboard, Town of Chapman Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:	Cynthia Mehnert, Councilor, Town of	Orono	
Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since of process includes an opportunity to nominate a candidate by petition. The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:July 28, 2014 Municipality: Kittery Signed by a Municipal Official designated by a majority of Municipal Officers: Print Name: Signature: Position: OR Signed by a Majority of Municipal Officers Current # of Municipal Officers:	Laurie Smith, Town Manager, Town of	f Kennebunkport	
The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by majority of the municipal officers of each Municipal member. Date:	Patricia Sutherland, Chair of Selectboa	ard, Town of Chapman	
Date:July 28, 2014 Municipality:	The Voting Ballot may be cast by a majority of the n majority of the municipal officers of each Municipal	idate by petition. nunicipal officers, or a municipal official designated by a ll member.	
Print Name: Signature: Position: OR Signed by a Majority of Municipal Officers Current # of Municipal Officers: _7	Date: July 28, 2014	Municipality: <u>Kittery</u>	'\
Position: OR Signed by a Majority of Municipal Officers Current # of Municipal Officers:7	Signed by a Municipal Official designated by a ma	ijority of Municipal Officers:	į
마트로 보고 있다. 이 보고 있는데 보고 있는데 함께 보고 있다. 그리고 있는데 보고 있는데 함께 되고 있는데 함께 되었다. 		Signature:	
Print Names: Signatures:	OR Signed by a Majority of Municipal Officers	Current # of Municipal Officers:7	
	Print Names:	Signatures:	٠.
	그는 그는 그에 가장하다 하면 전에 가장 살아가는 살아왔다면 하는 사람들이 얼마나 있다.		9

Return To:

MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947

Email: tchavarie@memun.org

PATRICIA SUTHERLAND

- Member, Chapman Selectboard, re-elected in 2014 for fourth 3-year term. Currently serving third year as board chair.
- Former member, Chapman planning board, for 20 years. Served as chair.
- Former member, Maine School Administrative District #1 Board of Directors, 1976 -1983; elected chair.
- Elected as member of Maine House of Representatives, Maine State Legislature, 123rd and 124th Legislature. Served on education committee first term and selected as House chair on education committee for second term.
- Senior administrator at Northern Maine Community College; retired after 20 years as director of development & college relations. Member of national board of community college development professionals, chaired the New England region. Served as presenter at numerous regional and national conferences.
- Former high school English teacher
- Member of Executive Board, Northern Maine Development Commission, since 1990. Served as chair in 1995-1997. Chaired the Northern Maine Empowerment Council.
- Member, Local Workforce Investment Board for Aroostook and Washington counties.
- Member, Board of Directors, United Way of Aroostook
- Member, Presque Isle Kiwanis Club
- Member, Leaders Encouraging Aroostook Development (LEAD) since inception in 1986. Served as coordinator/secretary to the board from 1986-2004.
- Native, Town of Chapman
- Graduate of Saint Joseph's College, Standish; Bachelor of Arts in English



MAINE MUNICIPAL ASSOCIATION VOTING BALLOT

Election of Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots - 12:00 noon on Friday, August 15, 2014

VICE-PRESIDENT - 1 YEAR TERM		Vote for One
Proposed by MMA Nominating Comm	<u>iittee:</u>	
Stephan Bunker, Selectman, Town of l	Farmington	
DIRECTORS - 3 YEAR TERM		Vote for Three
Proposed by MMA Nominating Comm	<u>uittee</u> :	
Cynthia Mehnert, Councilor, Town of	Orono	
Laurie Smith, Town Manager, Town o	f Kennebunkport	
Patricia Sutherland, Chair of Selectbo	ard, Town of Chap	oman 🔲
Please note that unlike municipal elections, MM. process includes an opportunity to nominate a cand The Voting Ballot may be cast by a majority of the majority of the municipal officers of each Municipal Company.	lidate by petition. municipal officers, o al member.	r a municipal official designated by a
Date: July 28, 2014	Municipality:	Kittery
Signed by a Municipal Official designated by a m	ajority of Municipa	l Officers:
Print Name:Position:	Signature:	· · · · · · · · · · · · · · · · · · ·
OR Signed by a Majority of Municipal Officers	Current # of M	unicipal Officers:7
Print Names:		•
	Signatures:	•
	Signatures:	

Return To:

MMA Annual Election Maine Municipal Association 60 Community Drive Augusta, Maine 04330 FAX: (207) 626-3358 or 626-5947

Email: tchavarie@memun.org

Maryann Place

From:

Nancy Colbert Puff

Sent:

Monday, July 14, 2014 11:21 AM

To: Subject:

All Town Councilors FW: Resignations

Hello all. I did not see your email addresses in the header, so I am forwarding this in the event you did not receive it. -Nancy

From: Vern J. Gardner, Jr. [mailto:verngardner@comcast.net]

Sent: Friday, July 11, 2014 5:42 PM

To: Nancy Colbert Puff **Subject:** Resignations

Town Council and Town Manager;

With this Email I am resigning from the Comprehensive Plan Update Committee and the Board of Appeal.

Thanks for the opportunity to serve.

Vern J. Gardner, Jr.

TO: Kittery Town Council

FROM: Frank Dennett

DATE: 21 JULY 2014

RE: Possible Charter Amendment

During the past several years, Kittery has lost the opportunity to promote two qualified employees within the municipal ranks. Eliot experienced a similar problem but that was the inability to engage a new employee. All kkkkkthree position-holders would have been categorized as "municipal officials". None of the three was a Maine resident. The problems stems from Maine statute (30-A, Sec. 2526, sub-section 3) which provides, in part, that a person must be a Maine resident in order to hold municipal office.

Based solely on residency, this statuto by provision has deprived two municipalities of the opportunity to engage qualified persons and there is every reason to believe that similar ills have befallen (knowingly or unknowdingly) other Maine municipalities, especially those close to the New Hampshire border.

The residency requirement for municipal office appears not to have any solid foundation and Kittery voters have the power bypass it by Charter amendment as the preamble to 30-A, Sec. 2526 states:

"Unless otherwise provided by charter, the following provisions apply to the choice and qualifications of town officials."

(See Exhibit D for full text)

Thusly, the statute recognizes that cartain local conditions may exist which should supercede the law (this applies only to charter municipalities - all others are thrown under the bus!).

A sample charter amendment is attached, has been reviewed by legal counsel, and determined to be an amendment and not a change of revision. If adopted by the voters it would NOT affect the residency requirement for voting members of boards and committees as set forth in charter Sec. 2.07(2).

Council debate on this amendment is invited. If Council determines that consideration is warranted, a public hearing could be scheduled for either 11 August or 25 Aggust with inclusion on the 4 November ballot if so voted.

Enclosures:

Exhibit	A	Legal references	1 page	
Exhibit	В	Charter Amendment	1 page	
Exhibit	C	Legal opinion		
EXHIBIT	D	Text of 30-A, Sect	. 2526,	Preamble
		thru sub-section4	1 page	

LEGAL REFERENCES

"Municipal official" means any elected or appointed member of a municipal government 30-A, Sec. 2001, sub-sec. 11

The appointment of any town official or deputy must be in writing and signed by the appointing party.

30-A. Sec. 2516, sub-sec. 2

In order to hold a municipal office, a person must be a resident of the State, at least 18 years of age and a citizen of the United States

30-A, Sec. 2526, Sub-sec. 3

(Exceptions: Municipal police - 30-A, Sec. 2671, sub-sec. 1.C. Town manager ---- 30-A, Sec. 2632, sub-sec. 2)

"Resident" and "residence" refer to a person's place of domicile 38-A, Sec. 2001, sub-sec. 16

Before assuming the duties of office, a town official or deputy shall be sworn... 30-A, sec. 2526, sub-sec. 9

Every efficial of the Town shall, before entering upon the duties of office, take and subscribe to the following oath of affirmation...

Kittery Charter, Sec. 12.04

KITTERY TOWN CHARTER

Article I. Grant of Powers to the Town.

Sec. 1.05. Qualifications for municipal office.

Except as otherwise required by statute or charter, the provision of Title 30-A, Section 2526, sub-section 3 requiring State residency as a qualification for municipal office does not apply.

Possible Charter Amendment.

FRANK Dennett 28 MAY 2014

Nancy Colbert Puff

From:

Duncan McEachern [DMcEachern@Shaines.com]

Sent:

Monday, June 30, 2014 1:36 PM

To: Subject: Nancy Colbert Puff Charter Change

Nancy,

I have reviewed the proposed Charter change submitted by Councilor Dennett and, in my opinion, it is properly drafted to eliminate the state statute residency requirement set out in 30-A M.R.S. sec 2526 (3). I consider this change to our Charter as being a charter amendment to be enacted through the process set out in 30-A M.R.S. sec 2104. Dealing with charter amendments.

If you need any more on this, give me a call.

Thanks,

Duncan

Duncan A. McEachern, Esq. McEachern & Thornhill 10 Walker Street, PO Box 360 Kittery ME 03904 207-439-4881 DMcEachern@Shaines.Com

THE INFORMATION IN THIS TRANSMITTAL IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE RECIPIENT(S) LISTED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT(S), YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION OR COPYING OF THIS TRANSMITTAL IS PROHIBITED. IF YOU RECEIVE THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY THE SENDER BY REPLY EMAIL AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE. THANK YOU.

Maine Revised Statutes

Title 30-A: MUNICIPALITIES AND COUNTIES HEADING: PL 1987, c. 737, Pt. A, §2 (new)

Chapter 121: MEETINGS AND ELECTIONS HEADING: PL 1987, c. 737, Pt. A, §2 (new)

§2526. CHOICE AND QUALIFICATIONS OF TOWN OFFICIALS

× 4 1 6 6

Unless otherwise provided by charter, the following provisions apply to the choice and qualifications of town officials. [1987, c. 737, Pt. A, \$2 (NEW); 1987, c. 737, Pt. C, \$106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, \$\$8, 10 (AMD).]

1. Manner of election. In a town with a population greater than 4,000, according to the last Federal Decennial Census, election shall be by plurality. Except as provided in section 2528, subsection 10, in a town with a population of 4,000 or under, election shall be by majority.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, \$\$8, 10 (AMD) .]

2. Appointment in writing. The appointment of any town official or deputy must be in writing and shall be signed by the appointing party.

[1987, c. 737, Pt. A, \$2 (NEW); 1987, c. 737, Pt. C, \$106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, \$\$8, 10 (AMD) .]

3. Qualifications. In order to hold a municipal office, a person must be a resident of the State, at least 18 years of age and a citizen of the United States.

A. In order to hold the office of selectman, a person must be a voter in the town in which that person is elected. [1987, c. 737, Pt. A, \$2 (NEW); 1987, c. 737, Pt. C, \$106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, \$\$8, 10 (AMD) .]

- 4. Selectmen and overseers. The following provisions apply to selectmen and overseers.
- A. A town may determine at a meeting held at least 90 days before the annual meeting whether 3, 5 or 7 will be elected to each board and their terms of office.
 - (1) Once the determination has been made, it stands until revoked at a meeting held at least 90 days before the annual meeting.
 - (2) If a town fails to fix the number, 3 shall be elected. If a town fails to fix the term, it is for one year. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, \$2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

Generated

12,4,2013

MUNICIPAL RELEASE DEED

The Inhabitants of the Municipality of Kittery, a body corporate and politic, located at 200 Rogers Road in Kittery, York County, State of Maine, for consideration paid, release to J. MICHAEL CORREIA and DENISE CORREIA in South Berwick, York County, State of Maine, a certain lot or parcel of land with improvements thereon, located in Kittery, York County Maine and described as follows:

LOCATION: 9-11 Whipple Road

BOOK/PAGE: 9346/314 MAP/LOT: 9-135

Meaning and intending to convey any interest the Town of Kittery may have acquired in the above-referenced parcel as a result of the following tax lien(s) recorded in York County Registry of Deeds.

BOOK/PAGE 15301/784, BOOK/PAGE 15509/161, BOOK/PAGE 15745/84 and BOOK/PAGE 15961/734

The said Inhabitants of the Municipality of Kittery have caused this instrument to be signed by its municipal officers:

JEFFREY D. THOMSON, FRANK L. DENNETT, JUDITH SPILLER, JEFFERY BRAKE, JEFFREY PELLETIER, RUSSELL WHITE, CHARLES H. DENAULT, JR. its Councilors duly authorized this 28th day July, 2014.

Signed, Sealed and Delivered in presence of TOWN COUNCIL:		
JEFFREY D. THOMSON	JEFFERY BRAKE	
FRANK L. DENNETT	JEFFREY PELLETIER	
JUDITH SPILLER	RUSSELL WHITE	
CHARLES H. DENAULT, JR.	· -	
State of Maine		
County of York		

Then personally appeared the above named: JEFFREY D. THOMSON, FRANK L. DENNETT, JUDITH SPILLER, JEFFREY PELLETIER, JEFFERY BRAKE, RUSSELL WHITE, and CHARLES H.DENAULT, JR. and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of the municipality of Kittery.

Before me	,
	Maryann Place
	Notary Public - Comm. Expires - 4/11/2015